

R430-90-13 and R430-50-13: PARENT NOTIFICATION AND CHILD SECURITY

Purpose

This section provides rules and information about what needs to be communicate to parents regarding their children. It also provides information on how to keep children secure while they are in care.

Licensed Family 90-13:

(1) The licensee shall either post or, upon enrollment, give each parent a copy of the Department's child care guide.

Residential Certificate 50-13:

(1) The certificate holder shall either post or, upon enrollment, give each parent a copy of the Department's child care guide.

Rationale / Explanation

The purpose of this rule is to inform parents of the existence of child care licensing regulations, and how they can contact the Department if they have a complaint regarding a licensing violation in a regulated child care facility. *CFOC, 3rd Ed. pgs. 380-381 Standard 9.4.1.6*

Enforcement

Always Level 3 Noncompliance.

If the Department's child care guide is going to be posted, the entire form (not just one side of it) must be posted to be in compliance with this rule. *It must also be posted in an area parents can review as they come and go.*

Licensed Family 90-13:

(2) At all times when their child is in care, parents shall have access to those areas of the licensee's home and outdoor area that are used for child care.

Residential Certificate 50-13:

(2) At all times when their child is in care, parents shall have access to those areas of the certificate holder's home and outdoor area that are used for child care.

Rationale / Explanation

Allowing parents unrestricted access to the home and the outdoor play area at all times is one of the most important methods of preventing abuse and inappropriate discipline. When access is restricted, areas observable by parents may not reflect the care children actually receive on a day-to-day basis. *CFOC, 3rd Ed. pg. 78 Standard 2.3.1.2, pgs. 380-381 Standard 9.4.1.6*

Enforcement

Always Level 3 Noncompliance.

This does not mean Licensees/Certificate Holders cannot lock their doors. It means the Licensee/Certificate Holder opens the door in a timely manner and allows parents to enter any part of the home or outdoor areas that are used for child care.

Licensed Family 90-13:

(3) The licensee shall ensure that a daily attendance record is maintained each day there is a child in care, to document each child's attendance.

Residential Certificate 50-13:

(3) The certificate holder shall ensure that a daily attendance record is maintained to document each enrolled child's attendance.

Rationale / Explanation

Proper departure procedures and identification are necessary to prevent unauthorized individuals from taking a child from the facility. CFOC, 3rd Ed. pgs. 371-372 Standards 9.2.4.8, 9.2.4.9

Keeping accurate records of arrivals and departures is critical to establishing what children are in care at the home at any given time, and how many caregivers are needed. CFOC, 3rd Ed. pgs. 372-373 Standard 9.2.4.10

Keeping accurate records means the records include arrival and departure times.

Enforcement

Level 1 Noncompliance if a failure to maintain the attendance records results in:

- a lost child.
- a child being left at an off-site activity.
- a child being left unattended in a vehicle.
- a child being left at the home when a caregiver leaves the home.
- an emergency evacuation in which a caregiver was unable to accurately account for all of the children.

Level 3 Noncompliance otherwise.

Licensed Family 90-13 and Residential Certificate 50-13:

(4) Only parents or persons with written authorization from the parent may pick up any child. In an emergency, a provider may accept verbal authorization if the provider can confirm the identity of the person giving the verbal authorization and the identity of the person picking up the child.

Rationale / Explanation

Proper departure procedures and identification are necessary to prevent unauthorized individuals from taking a child from the center. CFOC, 3rd Ed. pgs. 371-372 Standards 9.2.4.8, 9.2.4.9

Keeping accurate records of arrivals and departures is critical to establishing what children are in care at the home at any given time, and how many caregivers are needed. CFOC, 3rd Ed. pgs. 372-373 Standard 9.2.4.10

Enforcement

Level 1 Noncompliance if an unauthorized person took a child and the parent does not give approval after the fact.

Level 3 Noncompliance if an unauthorized person took a child and the parent gave approval after the fact.

Providers may choose to accept electronic permission from the parent to authorize someone to pick up a child.

Licensed Family 90-13:

(5) The licensee shall ensure that parents are given a written report of every serious incident, accident, or injury involving their child on the day of occurrence. A provider and the person picking up the child shall sign the report to acknowledge that he or she has received it.

Rationale / Explanation

The purpose of this rule is to ensure that parents are informed of every incident involving their child. This is important to protect both the provider and the child. Without an injury report, parents may not know to watch their child for possible harm that may turn out to be more serious than was immediately apparent. For example, a child may seem okay after a fall but have a concussion. Incident reports can also allow Licensees/Certificate Holders to recognize injury patterns and possible abuse to a child. *CFOC, 3rd Ed. pg. 382 Standard 9.4.1.9*

Enforcement

Always Level 3 Noncompliance.

Examples of incidents that parents should receive a written report for include:

- Any injury that requires medical treatment (this also needs to be sent to Child Care Licensing staff).
- Two children fighting, one needs medical treatment, then an incident report is required for both children.
- Any bite which breaks the skin, or one child being bitten frequently or biting frequently.
- Forgetting to pick up a child from school or other activity.
- A child escaping or leaving the premises without a caregiver.
- A child who is abused, sexually assaulted, or inappropriately touched, even if by another child in care.

If the person picking up a child refuses to sign or take the incident report, Licensees/Certificate Holders will not be found out of compliance with this rule, provided they can demonstrate they have an effective process in place to get same-day signatures on reports and have made a good faith effort to follow that process.

If the parent does not pick up the child (for example, if the caregiver dropped the child off at school and the parent picked the child up at school) or if it is a serious injury that requires him/her to take the child out of the facility, the Licensee/Certificate Holder may get the parent signature and give the parent a copy of the report the next time the parent is at the Licensee's/Certificate Holder's home.

Licensed Family 90-13:

(6) The licensee shall ensure that parents are notified verbally of minor accidents and injuries on the day of occurrence.

Residential Certificate 50-13:

(5) The certificate holder shall ensure that parents are informed of every incident, accident, or injury involving their child within 24 hours of occurrence.

Rationale / Explanation

The purpose of this rule is to ensure that parents are informed of every incident involving their child. This is important to protect both the provider and the child. Without an injury report, parents may not know to watch their child for possible harm that may turn out to be more serious than was immediately apparent. For example, a child may seem okay after a fall but have a concussion. Incident reports can also allow Licensees/Certificate Holders to recognize injury patterns and possible abuse to a child. *CFOC, 3rd Ed. pg. 382 Standard 9.4.1*

Enforcement

Always Level 3 Noncompliance.

Examples of incidents that parents should receive verbal notification include: behavior problems, a child being bitten or biting another child, a scraped knee or other minor injury.

Licensed Family 90-13:

(7) In the case of a life threatening incident or injury to a child, or an incident or injury that poses a threat of the loss of vision, hearing, or a limb, a provider shall contact emergency personnel immediately, before contacting the parent. If the parent cannot be reached after emergency personnel have been contacted, a provider shall attempt to contact the child's emergency contact person.

Residential Certificate 50-13:

(6) In the case of a life threatening incident or injury to a child, or an incident or injury that poses a threat of the loss of vision, hearing, or a limb, a provider shall contact emergency personnel immediately, before contacting the parent. If the parent cannot be reached after emergency personnel have been contacted, a provider shall attempt to contact the child's emergency contact person.

Rationale / Explanation

A delay in contacting emergency personnel in the case of a life threatening injury could result in permanent disability or death. This is why emergency personnel must be contacted before anyone else when a child has a potentially life threatening injury. *CFOC, 3rd Ed. pg. 458 Appendix P*

Enforcement

Always Level 1 Noncompliance.

Licensed Family 90-13:

(8) If a child is injured and the injury appears serious but not life threatening, a provider shall contact the parent immediately, in addition to giving the parent a written report of the injury.

Residential Certificate 50-13:

(7) If a child is injured and the injury appears serious but not life threatening, a provider shall contact the parent immediately.

Rationale / Explanation

The purpose of this rule is to ensure that parents are informed of and can make decisions regarding the care of their child after a serious injury.

Enforcement

Level 1 Noncompliance if the parent is not notified.

Level 3 Noncompliance otherwise.